A/66/36

United Nations

Report of the United Nations High Commissioner for Human Rights

General Assembly

Official Records
Sixty-sixth Session
Supplement No. 36

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Report of the United Nations High Commissioner for Human Rights

United Nations • New York, 2011

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ISSN 1020-3672

[9 August 2011]

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I. Introduction

1. The current year saw massive popular movements in North Africa and the Middle East, where people claimed their civil, cultural, economic, social and political rights and expressed their desire for sound governance. The Office of the United Nations High Commissioner for Human Rights (OHCHR) sought to seize the momentum created by these movements through interventions on the ground and in United Nations policymaking forums. As the High Commissioner, I welcome the promising steps taken by some countries to address the calls for change and initiate long-overdue reforms, but emphasize that the focus must remain on addressing the range of issues that brought people into the streets.

2. My Office continued to implement its six thematic priorities and strength its partnerships with organizations of the United Nations family, and with other regional and multilateral organizations. The appointment of an Assistant Secretary-General to New York Office of the Office of the High Commissioner has increased the visibility and impact of human rights in intergovernmental, interdepartmental and inter-agency discussions at United Nations Headquarters.

3. I conducted missions to Australia, Bolivia (Plurinational State of), Germany, Guinea, Israel and the occupied Palestinian territory, Jordan, Mauritania, Mexico, Norway, the Russian Federation, Senegal, Tunisia and the United Republic of Tanzania. The Deputy High Commissioner visited Cambodia, Haiti, Kenya, Kyrgyzstan, Lithuania, Nepal, Somalia and the Sudan, and the Assistant Secretary-General for Human Rights visited Afghanistan, Côte d'Ivoire and Iraq.

4. With the inauguration of a country office in Tunisia, OHCHR provides support to 54 human rights field presences, 12 regional presences, 13 country offices, 14 human rights components in United Nations peace missions and 15 human rights advisers within United Nations country teams (see A/HRC/16/20). Discussions are ongoing with the Government of Egypt for the establishment of a regional office for North Africa.

5. The sharp increase in the tasks requested of my Office, including those arising from the steadily expanding system of human rights treaty bodies, presents serious challenges. I am grateful to my staff for their diligence and dedication and appeal to Member States to provide my Office with adequate resources in order to enable it to fulfil its mandate.

II. Thematic priorities of the Office of the United Nations High Commissioner for Human Rights

A. Strengthening of human rights mechanisms and the progressive development of international human rights law

1. Strengthening of human rights mechanisms

(a) Human Rights Council

6. The General Assembly, by resolution 65/281, endorsed the outcome of the review by the Human Rights Council of its work and functioning, which was completed in March 2011. I urge the Council to continue to demonstrate its capacity

to respond to urgent and chronic situations in a timely manner, including through further experimentation with creative modalities of work.

7. During the period under review, the Council held three special sessions, on the situations in Côte d'Ivoire (December 2010), the Libyan Arab Jamahiriya (February 2011) and the Syrian Arab Republic (April 2011). It established international commissions of inquiry to investigate violations of international law, including international humanitarian and human rights law. The Council requested me to dispatch a mission to the Syrian Arab Republic but, at the time of writing, the mission had not been deployed because of the lack of cooperation on the part of the Government.

8. At its sixteenth and seventeenth sessions, held from 28 February to 25 March and 30 May to 17 June 2011, the Council adopted 29 resolutions and decisions (10 more than in 2010), demonstrating its determination to address human rights issues comprehensively. It established new special procedures (see para. 16) and continued to set standards and create procedures through its adoption of the United Nations Declaration on Human Rights Education and Training and elaboration of an optional protocol to the Convention on the Rights of the Child.

9. These actions are laudable, but have significant resource implications which remain to be addressed by the General Assembly.

(b) Universal periodic review

10. By the end of May, 175 of 192 Member States had been reviewed, with the 100 per cent participation rate of States reflecting their strong engagement with the universal periodic review mechanism.

11. My Office supports the universal periodic review by, inter alia, preparing documents relating to the review of each country and supporting the rapporteurs, managing the process in the Working Group and the Council and facilitating the participation of States. Drawing on the resources of the Voluntary Trust Fund for Participation in the Universal Periodic Review, OHCHR has to date convened 25 field and headquarters-based interregional, regional and national workshops to advise States on the preparation of their national reports and stakeholders on their input to the review.

12. The first cycle of the universal periodic review will be completed in March 2012. It has allowed the international community to take stock of the human rights situation in all Member States and provided a framework within which each State has made public commitments in respect of recommendations directed at improving the human rights situation on the ground. The second cycle should build on the initial review by following up on the achievements and pledges by States.

13. My Office continues to provide support to States as they devise practical ways to follow up and implement recommendations arising from the universal periodic review. Often with counterparts, OHCHR has provided assistance to follow up recommendations in about 40 countries, through the Trust Fund for Financial and Technical Assistance for Implementation of the Universal Periodic Review and the resources available for the review's overall activities. OHCHR convened three meetings at which experiences were shared and comprehensive roadmaps for the implementation of the recommendations arising from the review were developed

(two in Africa, with the United Nations Development Programme (UNDP), and one in Europe, with the European Union).

14. The modalities for the second cycle of the review, adopted by the Council at its seventeenth session, seek to strike a balance between reviewing the implementation of accepted recommendations and consideration of developments in the human rights situation of the States reviewed. Responsibility for implementation rests primarily with States, but national stakeholders have a role to play, and wide participation ensures that the universal periodic review is integrated into the national agenda.

(c) Special procedures

15. Facilitating the work of the Council's special procedures, the most accessible and responsive of the human rights mechanisms, is a priority for OHCHR. The dialogue held by the mandate holders with States and other stakeholders is sustained through country visits, communications and advisory services. I welcome the adoption by the General Assembly of the outcome of the review of the work and functioning of the Human Rights Council, which strongly rejects any act of intimidation or reprisal against those who cooperate with the United Nations and its representatives in the field of human rights.

16. With the establishment by the Council of two new thematic mandates (Working Group on the elimination of discrimination against women in law and in practice, and Special Rapporteur on the rights to freedom of peaceful assembly and of association) and two new country mandates (Special Rapporteur on the human rights situations in the Islamic Republic of Iran, and independent expert on Côte d'Ivoire), there are now 43 mandates (33 thematic and 10 country). The Council has also established the Working Group on human rights and transnational and other business enterprises.

17. In 2010, special procedure mandate holders conducted 67 country visits to 48 States, submitted 161 reports to the General Assembly and the Human Rights Council, and issued over 600 communications to some 110 States. They also participated, through their Coordination Committee, in the special sessions of the Council on the Libyan Arab Jamahiriya and the Syrian Arab Republic.

18. Over 80 Member States have extended standing invitations to special procedures but the mandate holders still face difficulties in securing approval to visit States, including some which have extended standing invitations. Responses to communications remain at only around 35 per cent. I am pleased that the Council, in the outcome of the review of its work and functioning, again called on States to cooperate effectively with special procedures, and encouraged them to accept country visits and take immediate action to follow up the recommendations and communications of the mandate holders. Independence, integrity and expertise are the hallmarks of the special procedures. These principles, also reinforced in the outcome of the review, have enabled the mandate holders to fulfil their functions with impartiality and balance. I am confident that the Assembly will encourage intensified dialogue at the national, regional and international levels.

19. My Office continues to encourage greater coordination, harmonized working methods and the most efficient use of resources in its work with the special procedure mandate holders, who work closely with treaty bodies, the universal

periodic review and regional bodies. OHCHR field presences cooperate with the special procedures in the common quest to advance human rights. The joint communications report of the special procedures will strengthen working methods and allow for more efficient use of resources by significantly reducing documentation and related processing costs, given that approximately 66 per cent of communications are issued jointly by two or more mandate holders.

(d) Treaty bodies

20. The first meeting of the States parties to the International Convention for the Protection of All Persons from Enforced Disappearance, which entered into force on 23 December 2010, was held in May, marking the establishment of the tenth human rights treaty body. The number of treaty bodies has increased from 5 to 10 in the past 10 years; the annual number of weeks in session has grown fro 44 to 73; and the number of experts has expanded from 74 to 172. At the end of July, ratifications of and accessions to human rights treaties and their substantive and procedural protocols numbered 1,905.

21. Following my call for a process of reflection, OHCHR has encouraged and facilitated further dialogue among various stakeholders, aimed at developing ideas and proposals for further strengthening of the treaty body system. In April and June, consultations with civil society organizations were convened in, respectively, Seoul and Pretoria. In May, representatives of almost 90 Member States met in Sion, Switzerland, at my invitation and in the presence of the nine chairpersons of the treaty bodies, to discuss the strengthening of the system, including in relation to reporting, constructive dialogue, independence and expertise of treaty body members, and implementation at the national level.

22. The chairpersons held their twenty-third meeting in Geneva from 30 June to 2 July, preceded by the twelfth inter-committee meeting. They adopted recommendations concerning the expertise and independence of treaty body members, on enhancing the meeting by investing it with decision-making power, convening the annual meeting biannually at the regional level, and replacing the inter-committee meeting with ad hoc thematic working groups.

2. Progressive development of international human rights law

23. My Office provided support for the standard-setting activities of the United Nations human rights system (Human Rights Council, its Advisory Committee and Social Forum, treaty bodies and special procedures). With OHCHR support, treaty bodies held days of general discussion, including on the development of general comments. At its 102nd session, held from 11 to 29 July, the Human Rights Committee adopted General Comment No. 34, on the interpretation of article 19 of the International Covenant on Civil and Political Rights. The Committee on Economic, Social and Cultural Rights discussed the right to sexual and reproductive health and the Committee on the Rights of Persons with Disabilities discussed accessibility (Convention on the Rights of Persons with Disabilities, art. 9). In December 2010, the Committee on Migrant Workers adopted its first general comment, on the rights of migrant domestic workers and, in the context of the twentieth anniversary of the adoption of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, addressed the theme "Protecting rights, building cooperation". The Committee on

the Elimination of Discrimination against Women adopted general recommendations on older women and protection of their human rights and the core obligations of States parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women.

24. Some 120 decisions on individual communications were adopted in 2010 by the five committees which have operative individual communications procedures, thus furthering international jurisprudence in various areas. OHCHR provided support for the Open-ended Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights. The Human Rights Council, at its seventeenth session, adopted the text of an optional protocol to the Convention on the Rights of the Child and recommended it to the General Assembly for adoption at its present session. The optional protocol would empower the Committee on the Rights of the Child to receive and consider individual communications.

25. In May, OHCHR provided support for the first session of the Open-ended Working Group, established by the Human Rights Council in resolution 15/26 to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies. The Open-ended Working Group considered the draft text of a possible convention, prepared by the Working Group on the use of mercenaries.

26. In 2010, with the support of OHCHR and in the context of the mandate on human rights of internally displaced persons, revised operational guidelines on the protection of persons in situations of natural disaster were developed (A/HRC/16/43/Add.5, annex) and endorsed by the Inter-Agency Standing Committee.

27. My Office provided support to the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises in the preparation of global standards for preventing and addressing the risk of adverse impacts on human rights linked to business activity. The Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework developed by the Special Representative (A/HRC/17/31, annex) were adopted by the Council at its seventeenth session. OHCHR also provided technical and policy advice on the human rights component of the United Nations Global Compact, producing jointly with the Global Compact a revised online learning tool on business and human rights and a guide for business enterprises on the development of corporate human rights policies.

28. In resolution 15/19, the Human Rights Council invited OHCHR to seek views, comments and suggestions on the progress report on the draft guiding principles on extreme poverty and human rights, submitted by the independent expert (now Special Rapporteur) on the question of human rights and extreme poverty. OHCHR convened a consultation in June, and a final report will be submitted to the Council at its nineteenth session; the Special Rapporteur will submit a final draft of the revised guiding principles to the Council at its twenty-first session.

29. The Working Group on discrimination against women in law and in practice held its first session in June. I am confident that the compendium being developed

by the Working Group of best practices related to the elimination of de jure and de facto discriminatory laws will provide valuable guidance to States.

30. My Office manages the Universal Human Rights Index (www.universalhumanrightsindex.org), an electronic tool which allows for the wide dissemination of the recommendations and observations of the human rights treaty bodies and special procedures, thereby assisting implementation efforts at the national level. In order to foster a holistic approach, recommendations arising from the universal periodic review will be indexed so that, by the end of 2011, users will be able to analyse and compare the recommendations of the three United Nations human rights mechanisms This will assist States in the implementation of recommendations, facilitate follow-up and simplify the work of those who use the conclusions and recommendations.

31. The Office provides support to the intergovernmental Open-ended Working Group on the Right to Development, including in connection with its consideration of the outcome of the mandate of the high-level task force on the implementation of the right to development.

32. It provided support to the Human Rights Council Advisory Committee in developing the principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members, which were adopted by the General Assembly in its resolution 65/215 of December 2010.

33. My Office facilitated the Council's initiative to develop the United Nations Declaration on Human Rights Education and Training through the support it provided to the Council's open-ended working group which met from 10 to 14 January.

34. In joint cooperation with the Office of the Special Representative of the Secretary-General on Violence against Children, OHCHR convened an expert consultation on child-sensitive counselling, complaint and reporting mechanisms, which was held on 30 September and 1 October 2010. An expert meeting on the legal framework required to prohibit, prevent and respond to all forms of violence against children was convened in July 2011 by OHCHR, jointly with the Office of the Special Representative, the Inter-Parliamentary Union and the non-governmental organization (NGO) Advisory Council on Violence against Children.

35. The Office continued to draw attention to human rights violations, including discrimination, perpetrated against individuals on the basis of their sexual orientation or gender identity. By resolution 17/19, the Human Rights Council, expressing grave concern at acts of violence and discrimination, in all regions of the world, committed against persons because of their sexual orientation and gender identity, requested me to commission a study on relevant discriminatory laws and practices and acts of violence. The findings of the study will be discussed by the Council at its nineteenth session.

36. My Office convened a series of expert workshops on the prohibition of incitement to national, racial or religious hatred with the aim of discussing legislation, jurisprudence and national policies, and deepening understanding of and strengthening compliance with the prohibition of incitement to hatred, while ensuring full respect for freedom of expression. Workshops were held for the European region (Vienna, February), the African region (Nairobi, April) and Asia

and the Pacific (Bangkok, July). The final workshop for the region of the Americas is scheduled to be held in Santiago in October.

B. Countering discrimination, in particular racial discrimination, discrimination on the grounds of sex or religion and discrimination against others who are marginalized

1. Racial discrimination

37. My Office has played a leading role in the 2011 International Year for People of African Descent (IYPAD), developing an office-wide framework for action to combat discrimination against Afro-descendants. A panel on the enjoyment of the human rights by people of African descent was convened during the sixteenth session of the Human Rights Council. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance participated in the tenth session of the Working Group of Experts on People of African Descent. On the occasion of the International Day on the Elimination of Racial Discrimination, the Special Rapporteur issued a joint statement with other human rights mechanisms, entitled "Recognition, justice and development: a roadmap to achieve full equality for people of African descent". A day of thematic discussion on racial discrimination against people of African descent was held during the seventy-eighth session of the Committee on the Elimination of Racial Discrimination and, during their visit to Portugal in May, the members of the Working Group of Experts met with Afro-descendants. OHCHR launched a fellowship programme for people of African descent, aimed at deepening participants' understanding of the United Nations human rights system with a view to strengthening the protection and promotion of rights of Afro-descendants in the countries and communities of the fellows. Public information initiatives, including a dedicated website in the six official languages, have been undertaken with the Department of Public Information.

38. The current year marks the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, and OHCHR has engaged in activities to promote commemoration of the anniversary, including in the context of the International Day for the Elimination of Racial Discrimination and the International Year for People of African Descent. A website in the six official languages has been created in collaboration with the Office of the President of the General Assembly and the Department of Public Information.

39. In October 2010, the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action made recommendations on migration, protection of children, employment and national plans of action.

40. My Office continued to assist Member States in translating their obligations under international and regional human rights instruments to prohibit and eliminate racial discrimination into national law, policies and programmes. Technical assistance for the development of national action plans against racial discrimination has been provided to Benin, Bolivia (Plurinational State of), Burkina Faso, Costa Rica and Uruguay. Regional training workshops in, for example, Ethiopia, benefited

government representatives, national human rights institutions and civil society in relation to the elaboration and implementation of national action plans.

2. Indigenous and minority issues

41. In July, the Expert Mechanism on the Rights of Indigenous Peoples adopted its final report concerning the right to participate in decision-making. It also discussed the United Nations Declaration on the Rights of Indigenous Peoples and the follow-up to its thematic study on indigenous peoples and the right to education.

42. My Office continued to support the work of the Forum on Minority Issues. An international conference on the representation of minorities and indigenous peoples in politics was organized with the Inter-Parliamentary Union in Chiapas, Mexico, in November 2010. Consultations with law enforcement agencies on how to enhance inclusion of minorities in policing were convened in Beirut in September 2010, and in Bangkok in May 2011.

43. The collaboration of the OHCHR Central Africa Regional Office with organizations of the United Nations system and other partners on advocacy initiatives formed part of the background to the adoption, in December 2010, of a law on the rights of indigenous peoples in the Congo, the first of its kind in Africa.

44. In line with my commitment to encourage efforts to address caste-based discrimination, the Office of the High Commissioner for Human Rights in Nepal engaged with the National Dalit Commission and human rights defenders to advocate against caste-based discrimination through capacity-building and other activities. A landmark law on caste-based discrimination and untouchability was adopted by the Nepalese Parliament in May 2011.

45. Two publications, *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities* and *Minority Rights: International Standards and Guidance for Implementation*, have been issued by OHCHR.

46. In May, OHCHR launched the United Nations Indigenous Peoples Partnership, together with the International Labour Organization, UNDP and the United Nations Children's Fund (UNICEF). The Partnership will fund programmes on (a) access to justice, land and ancestral territories, (b) legislative review and reform, (c) democratic governance and indigenous peoples' institutions and (d) natural resources and extractive industries, thus promoting the United Nations Declaration on the Rights of Indigenous Peoples and facilitating its implementation.

3. Gender equality and women's human rights

47. In follow-up to the statement issued in 2010 by the President of the Security Council on women and peace and security (S/PRST/2010/22), OHCHR participated in the Task Force on Women, Peace and Security of the Inter-Agency Network on Women and Gender Equality, contributing to the formulation of a strategic framework to guide the implementation of Security Council resolution 1325 (2000) and the development of related indicators. Through the inter-agency initiative United Nations Action against Sexual Violence in Conflict, OHCHR contributed to the implementation of Security Council resolutions 1820 (2008), 1888 (2009) and 1960 (2010), on conflict-related sexual violence. The report of my high-level panel on sexual violence in the Democratic Republic of the Congo, containing the testimony of victims of sexual violence with regard to their needs and their

perceptions of the remedies and reparations available to them, was launched in Geneva in March. The United Nations Joint Human Rights Office at the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo has been strengthened to assist in the follow-up to the recommendations of the report.

48. My Office contributed to the strategic planning process of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and began work on a joint UN-Women/OHCHR workplan to be presented to the Human Rights Council and the Commission of the Status of Women in March 2012.

49. An inter-agency statement on preventing gender-biased sex selection, prepared by OHCHR in partnership with the United Nations Population Fund, UNICEF and the World Health Organization (WHO), was released on 14 June. Identifying good practices and gaps in the prevention of violence against women, and conflict-related violence against women, were the themes of the fourth annual discussion on women's human rights held during the seventeenth session of the Council. At the request of the Council, I submitted a follow-up report to provide further guidance to States in respect of effective human rights-based practices on preventable maternal mortality and morbidity and human rights (A/HRC/18/27, forthcoming).

4. Discrimination against persons with disabilities

50. By the end of July, less than five years after its adoption by the General Assembly, 103 States had become parties to the Convention on the Rights of Persons with Disabilities. My Office has increased its support to the Committee on the Rights of Persons with Disabilities, which has begun considering the reports and individual communications of States parties. Twenty-five field presences provided assistance to States and civil society in 2010 in this area, compared to four in 2006. Assistance ranged from the provision of support for ratification and for meeting reporting obligations, input to law, policy reform and institution-building, and provision of assistance to civil society. OHCHR, UNICEF, the Department of Economic and Social Affairs and UNDP have created a multi-donor trust fund to support Convention-related technical assistance at the country level, and I encourage States to contribute to the fund. OHCHR continues to co-chair the Inter-Agency Support Group on the Convention, together with the Department of Economic and Social Affairs.

51. An Inter-Departmental Task Force on Accessibility to improve United Nations-wide standards for accessibility, particularly in relation to the proceedings of meetings and documentation, was established on the recommendation of OHCHR, the Department of Economic and Social Affairs and other United Nations entities. Accessibility to meeting proceedings and documentation has improved with respect to the Committee on the Rights of Persons with Disabilities and, to some extent, the Human Rights Council, and United Nations meetings on human rights have become more accessible for persons with disabilities. I welcome the release by the Human Rights and Transitional Justice Section of the United Nations Integrated Mission in Timor-Leste of the first public report of a United Nations peace mission on the rights of persons with disabilities, and its advocacy, including through a series of radio programmes, for their greater access to education, employment and health care.

5. Older persons

52. My Office provided support in the implementation of General Assembly resolution 65/182, by which the Assembly called for consideration of the feasibility of further instruments and measures to address the particular human rights challenges faced by older people. Member States are considering the existing human rights framework and mechanisms with a view to strengthening, and addressing any gaps in, the protection of the human rights of older persons.

6. Discrimination on the basis of health status

53. The Office continued its collaboration with the Joint United Nations Programme on HIV/AIDS (UNAIDS) to promote and protect the human rights of people living with, and vulnerable to, HIV. Technical assistance was provided to Governments for the review of the laws, policies and practices that constitute barriers to universal access to HIV prevention, treatment, care and support. The report of the Secretary-General presented to the Council at its sixteenth session (A/HRC/16/69) provides a human rights analysis of the current challenges confronting the global AIDS response and was used to prepare for the high-level meeting on HIV/AIDS, convened by the General Assembly in June. OHCHR also encouraged a number of national human rights institutions to integrate HIV into their work.

C. Pursuing economic, social and cultural rights and combating inequalities and poverty, including in the context of the economic, food and climate crises

1. Advancing the right to development

54. "Development is a human right for all" is the main theme of the commemoration in 2011 of the twenty-fifth anniversary of the adoption of the United Nations Declaration on the Right to Development. As a result of the efforts of Member States and other relevant stakeholders, the occasion has inspired activities to advance the right to development, which will go beyond the anniversary year. OHCHR is compiling the research and analytical studies of more than 30 international experts on the right to development. A report to be jointly submitted by the Secretary-General and me to the General Assembly at its present session provides details of the activities carried out by the Economic and Social Council, the Human Rights Council and its Social Forum, treaty bodies, special procedures, United Nations entities and civil society, including non-governmental organizations, in commemoration of the anniversary. The Committee on Economic, Social and Cultural Rights has stated that it considers that the right to development establishes a specific framework within which the duty to provide international cooperation and assistance has to be implemented. In a joint statement dated 1 July, the chairpersons of the human rights treaty bodies point out that they are resolved to make a concerted effort to promote a development-informed and interdependence-based reading of all human rights treaties, so as to highlight and emphasize the relevance and importance of the right to development in interpreting and applying human rights treaty provisions and in monitoring compliance with these provisions.

55. My Office participated in the Fourth United Nations Conference on the Least Developed Countries, held in Istanbul In May. The Istanbul Declaration and Programme of Action adopted by the Conference contain references to human rights, demonstrating the growing global recognition of the importance of human rights to successful development outcomes.

2. Integrating all human rights in development

56. Building on the commitments made by Member States in the 2005 World Summit Outcome (General Assembly resolution 60/1) and the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, OHCHR has led inter-agency efforts within the United Nations Development Group to further integrate human rights into United Nations operational activities for development and strengthen policy coherence, coordination and capacity development so that the United Nations system may respond to national priorities more effectively. At the request of the Secretary-General, a human rights mainstreaming mechanism was established in October 2010. Its initial mapping of the support required revealed significant demand at the country level. OHCHR field presences, in particular human rights advisers in the United Nations country teams, have contributed to the integration of human rights into development programming.

57. The High-level Plenary Meeting of the General Assembly on the Millennium Development Goals held in 2010 reached a historic agreement on the importance of human rights in the efforts of Member States to achieve the Goals, with eight specific human rights commitments reflected in the action agenda set out in outcome document. OHCHR contributed to the preparatory processes, including by way of a communications strategy and advocacy campaign, research and policy analysis, support to special procedures on Goal-related issues, and increased engagement with, and contributions to, the preparatory work and thematic reports of the Millennium Development Goal Task Force of the United Nations Development Group. The importance of the international human rights standards in the realization of the Goals was highlighted by the chairpersons of the human rights treaty bodies in a joint statement issued on the occasion of the High-level Plenary Meeting.

3. Combating poverty

58. My priority in relation to combating poverty is to assist in translating the above-mentioned commitments into human rights outcomes on the ground. At the High-level Plenary Meeting of the General Assembly, I offered the support of my Office to all Member States willing to show leadership in integrating human rights into their national development plans. In Ecuador, the Planning Ministry and OHCHR cooperated in the development of a methodology to integrate human rights into national development planning processes. This work continued in 2011, with a focus on the water sector.

59. In May 2011, OHCHR and WHO, along with the Swedish International Development Cooperation Agency, finalized a policy assessment tool, *Human Rights and Gender Equality in Health Sector Strategies: How to Assess Policy Coherence*, which is being tested at the country level. Building on rights-based budget monitoring carried out in Haiti and Liberia in October 2010, OHCHR finalized a learning package on budget processes and human rights which is directed

at supporting Member States and national partners in the integration of human rights into their national development and poverty reduction strategies The learning package and a training of trainers module are being piloted in Africa, with the support of national, United Nations and civil society partners.

4. Economic, social and cultural rights

60. My Office conducted advocacy and training activities on the Optional Protocol to the International Covenant on Economic and Social Rights, including the justiciability of these rights in Benin, Bolivia (Plurinational State of), Burkina Faso, Cape Verde, Costa Rica, Ecuador, El Salvador, Mali, Mexico, Nicaragua, the Niger, Senegal, Spain and Togo. These activities formed part of the background to the ratification of the Optional Protocol by Ecuador and Spain, its signature by Costa Rica and Kazakhstan, and its approval by the Parliament of El Salvador.

61. My Office provided support for the integration of international standards on the right to adequate housing into domestic law and practice. In Kyrgyzstan, OHCHR advocacy contributed to the integration of human rights language into the draft housing code. In Tajikistan, non-governmental organizations reported that, after events organized by OHCHR, the authorities were more open to discussing such issues as access to information on urban planning and access to justice, and courts have shown increasing sensitivity to housing issues. In several jurisdictions, judges have granted protection to evictees, compensation and rehousing. In Serbia, advocacy and training has led to more open discussion of human rights issues in relation to housing and evictions of Roma.

62. In Haiti, OHCHR issued specific guidance in regard to cases of forced eviction. It also provided support to Haitian non-governmental organizations in monitoring protection concerns and conducting capacity-building with camp committees and women's groups.

63. The Human Rights Section of the United Nations Operation in Côte d'Ivoire in the northern region of Odienné built two schools, thus facilitating children's access to education.

64. The OHCHR country office In Cambodia provided assistance in relation to 42 land disputes between villagers and companies, as well as legal advice to provincial and local authorities, communities and non-governmental organizations. In Colombia, OHCHR provided legal advice in the context of debates on the Victims and Land Restitution Law, aimed at compensating victims of the internal armed conflict and returning land to millions of displaced persons.

5. Protecting human rights in the context of the economic, food and climate crises

65. I am deeply concerned at the current famine in the Horn of Africa which provides a tragic reminder that respect for human rights is essential in preventing major economic, food and climate crises. While drought is partly to blame — together with conflict and broader structural imbalances — the famine is mainly the result of the failure of governance and international cooperation. International law places a responsibility on States, individually and collectively, to implement drought-preparedness measures, particularly in the light of climate change. It also requires the response to such crises to comply with human rights standards and,

where lives are at stake, imposes an immediate obligation on those in a position to do so.

66. My Office continues to participate in the High-level Task Force on the Global Food Security Crisis, contributing to the updating of its Comprehensive Framework for Action which integrates a human rights-based approach into strategies for world food and nutrition security. OHCHR provided an advisory opinion to the Economic Community of West African States on the nexus among food security, human security, human rights and conflict in the context of climate change in the Sahelian band. My Office in Nepal developed protection checklists which are being incorporated into the logistics and food clusters of the Inter-Agency Standing Committee operational plan in the country. The Special Rapporteur on the right to food followed the impact of the global food crisis and worked closely with the Food and Agriculture Organization of the United Nations on the reform of the Committee on World Food Security.

67. Pursuant to Human Rights Council resolution 16/11, my Office is conducting an analytical study on the relationship between human rights and the environment, which will be presented to the Council at its nineteenth session.

D. Human rights in the context of migration

68. As Chair of the Global Migration Group, I addressed the fourth Global Forum on Migration and Development, held in Puerto Vallarta, Mexico, in November 2010, calling for an end to the criminalization of irregular migrants. OHCHR organized a panel discussion on the vulnerability of migrants to discrimination, racism and xenophobia, and convened, with the Office of the United Nations High Commissioner for Refugees, a round table on alternatives to the administrative detention of migrants, asylum-seekers, refugees and stateless persons.

69. During my time as Chair, the Global Forum issued a landmark statement calling on States to protect the human rights of migrants in irregular situations. As a member of the Global Migration Group troika, OHCHR in May participated in a symposium convened by the Group on the theme "Migration and youth: harnessing opportunities for development".

70. As Chair of the Inter-agency Coordination Group against Trafficking in Persons, OHCHR organized a side event during the seventeenth session of the Human Rights Council, which highlighted the roles of various United Nations entities in protecting victims of trafficking. The OHCHR publication, *Recommended Principles and Guidelines on Human Rights and Trafficking: Commentary*, was launched in Bangkok in December 2010. In 2010 and 2011, OHCHR participated in several regional capacity-building events to promote a human rights-based approach to addressing trafficking in persons.

71. I continued to call for increased ratification and effective implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families during 2010, which marked the twentieth anniversary of its adoption. The OHCHR Regional Office for Europe launched a study on the Convention in June 2010. The Regional Office for Central Africa organized, in December 2010, the first dialogue on human rights and migration in Central Africa, which provided a platform for advocacy for ratification of the Convention and the review of existing policies. In Mexico, OHCHR has monitored

the situation of migrants in transit, a theme which was a focus of my mission there in July. During my visit to Australia in May, I urged the Government to seek alternatives to mandatory immigration detention and to ensure that bilateral and regional arrangements in that regard fully safeguarded human rights. In my opening statement to the Human Rights Council in June, I raised concerns about migrants from North Africa, including allegations that migrants in sinking boats were left to drown despite the alleged capacity of European units in the vicinity to rescue them.

E. Combating impunity and strengthening accountability, the rule of law and democratic society

72. The guidance note of the Secretary-General on the United Nations approach to transitional justice, adopted in March 2010, has been used by the United Nations system as a common standard to support the establishment and functioning of transitional justice mechanisms.

73. The human rights and transitional justice section of the United Nations Integrated Mission in Timor-Leste continued to monitor and report on the progress of remaining prosecutions recommended by the United Nations Commission of Inquiry relating to crimes committed during the 2006 crisis, and to advocate follow-up to the recommendations of the Timor-Leste Truth, Reception and Reconciliation Commission. I have continued to follow developments in Sri Lanka closely and urge follow-up to the work of the Secretary-General's panel of experts which examined options for accountability for alleged past crimes.

74. My Office organized two expert workshops to address emerging transitional justice issues: dealing with violations of economic, social and cultural rights in transitional justice processes; and maximizing opportunities for coordination between disarmament, demobilization and reintegration and transitional justice. In February, it organized a seminar at which experience with archives as a means to guarantee the right to the truth was discussed. It also assisted in the establishment of the Transitional Justice and Reconciliation Commission in Togo, where over 17,000 testimonies were gathered in the period from August to December 2010. The Office in Nepal assisted the participation of victims in transitional justice dialogues and advocacy for increasing the access of victims' groups to authorities, including by providing training on the elements of truth-seeking bills and convening three consultations on the bills in April and May, designed to draw nationwide participation by victims groups.

75. In October 2010, OHCHR published a report on the mapping exercise, documenting the most serious violations of human rights and international humanitarian law committed in the Democratic Republic of the Congo during the period from March 1993 to June 2003. In March, OHCHR provided technical advice on a draft law introduced by the Government of the Democratic Republic of the Congo, which concerned the establishment of special chambers for the prosecution of violations of international human rights law and humanitarian law.

76. In Haiti, technical assistance was provided in relation to the investigation of serious human rights violations committed under the rule of Jean-Claude Duvalier.

77. My Office provided technical support for the development of frameworks for the protection of victims and witnesses involved in judicial and quasi or non-judicial

proceedings in Argentina, Nepal, Togo and Uganda. Also in Uganda, it organized a high-level expert seminar with the Ugandan Law Reform Commission and the United Nations Office on Drugs and Crime, which was held in November 2010. A regional seminar on these issues was held in Nepal in December 2010. In May, OHCHR organized an expert meeting on gender perspectives and victim and witness protection programming, after which the development of a tool on gender aspects of victim and witness was initiated.

78. My Office promotes ratification of the Rome Statute of the International Criminal Court and has strengthened its relationship with the Court within the framework of the Relationship Agreement between the International Criminal Court and the United Nations, approved by the General Assembly in 2004.

79. National human rights institutions are an important component of the national protection system and OHCHR provided legal and technical advice to more than 20 States to support the establishment of such institutions, and to some 40 national human rights institutions to strengthen their capacity to comply with the Principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134, annex). A human rights seminar was organized by OHCHR with the United Nations Mission in Liberia in November 2010 for members of Parliament and national human rights institutions from Nigeria, the Gambia, Liberia, Uganda, Sierra Leone and the United Republic of Tanzania.

80. An expert meeting on human rights and traditional justice was held in South Africa in December 2010 and, in September 2010, a regional training seminar on human rights and elections was organized in cooperation with the Senate and National Assembly of Gabon and the Network of Central African Parliamentarians of the Economic Community of Central African States. OHCHR continued to provide support to Member States to ensure that the establishment and development of security agencies, armed forces, police and law enforcement agencies, whether in a post-conflict, early recovery or development context, are grounded in international human rights law. OHCHR contributed to the development of a series of guidance notes on security sector reform. In June 2011, OHCHR and the Department of Peacekeeping Operations published an implementation guide, with a list of rule of law indicators and a related compendium of project tools.

81. As leader of the Working Group on Protecting Human Rights While Countering Terrorism of the Counter-Terrorism Implementation Task Force, OHCHR organized, in February, the first of five regional expert symposiums, with a view to securing the fundamental principles of the right to fair trial for persons accused of terrorist offences. The Working Group developed two human rights reference guides, on security infrastructure and on stopping and searching persons in the context of countering terrorism. At the request of the Human Rights Council, two panel discussions were organized in March and June on, respectively, human rights in the context of action taken to address terrorist hostage-taking and the human rights of victims of terrorism.

82. My Office continued to advocate for the rights of detainees to judicial review of their detention by an independent and impartial court and to seek redress following torture, ill-treatment or other violations of human rights, and for the right of pre-trial detainees to legal counsel and a speedy trial or release. In 2010, the United Nations Integrated Peacebuilding Office in the Central African Republic obtained authorization to visit all detention centres in the country. OHCHR in

Cambodia obtained authorization to visit all civilian prisons in the country, while in Guinea, OHCHR helped 60 young people detained after demonstrations in September 2010 to obtain legal aid from a pool of pro bono lawyers.

83. Convinced that human rights education contributes to combating impunity and strengthening accountability, the rule of law and democracy, OHCHR implemented human rights education programmes, provided assistance to Governments, institutions and civil society, and developed related tools. Human rights education and training methodologies based on best practice were developed and, in March 2011, *Evaluating Human Rights Training Activities: A Handbook for Human Rights Educators* was published jointly by OHCHR and EQUITAS-The International Centre for Human Rights Education. In April 2011, in cooperation with UNDP, OHCHR launched the seventh phase of the Assisting Communities Together project, which will provide grants in support of human rights education and training projects in 14 countries.

84. In the context of the World Programme for Human Rights Education, OHCHR disseminated the findings of the evaluation report (A/65/322) of the first phase of the Programme (2005-2009), which focused on human rights education in the school system. Together with UNESCO, OHCHR is implementing dissemination strategies for the plan of action for the second phase of the World Programme (2010-2014), focusing on higher education and human rights training for teachers and educators, civil servants, law enforcement officials and military personnel (see A/HRC/15/28).

F. Protecting human rights in situations of armed conflict, violence and insecurity

85. It is in the context of armed conflict, violence and insecurity that many serious human rights violations are perpetrated with impunity. Recent developments in various countries of the Middle East and North Africa, such as Bahrain, Egypt, the Libyan Arab Jamahiriya, the Syrian Arab Republic, Tunisia and Yemen, and other situations, such as those in Côte d'Ivoire and the Sudan (Abyei and Southern Kordofan), highlight the critical need to develop sustainable ways to prevent the escalation of violence and protect civilians promptly and effectively. In 2011, OHCHR has issued strong public statements, deployed high-level missions to Egypt and Tunisia, provided support to independent commissions of inquiry in Côte d'Ivoire and the Libyan Arab Jamahiriya, and pursued interaction with the Security Council with a view to securing accountability for human rights violations.

86. My Office continued to enhance its capacity to respond to emergency situations, mainly through its Rapid Response Section which, in 2011, was called upon more than in any other year, including in regard to facilitating the implementation of relevant resolutions of the Human Rights Council (see paras. 6-9 above). In several instances, I offered OHCHR assistance. I dispatched the above-mentioned missions to Tunisia and Egypt (in January-February and March-April, respectively) so that human rights challenges could be discussed with national and international counterparts and avenues of cooperation explored during the early stages of transition.

87. At the end of June, with the agreement of the Government, I dispatched a mission to Yemen to undertake a preliminary assessment of the human rights situation. I will present a report to the Human Rights Council at the eighteenth

session, in accordance with the joint statement on the human rights situation in Yemen made at its seventeenth session.

88. Following the violence in southern Kyrgyzstan in 2010, I deployed a mission to Osh which monitors and documents human rights violations, assists victims in obtaining redress, and advises the law enforcement authorities and the judiciary on ways in which to enhance their capacity to protect human rights. The mission provides protection by its presence, thus demonstrating the critical role that OHCHR can play in preventing and addressing life-threatening human rights violations.

89. The Human Rights Section of the United Nations Stabilization Mission in Haiti continued to lead the protection cluster in relation to the overall humanitarian response following the 2010 earthquake. Adapting to developments, it redesigned its strategy to focus on the protection of internally displaced persons and affected communities, the rule of law and human rights in public policy, including reconstruction.

90. My Office participates in the international discussions launched in Geneva following the events in Georgia in August 2008, and emphasizes that all duty bearers, including the authorities in control, are responsible for ensuring the enjoyment by all people of all human rights, without discrimination. In Afghanistan, the human rights component of the United Nations Assistance Mission in Afghanistan and the Afghanistan Independent Human Rights Commission undertake joint activities directed at minimizing the impact of the conflict on civilians.

91. The Human Rights Section of the African Union-United Nations Hybrid Operation in Darfur advocated the mainstreaming of human rights in the Darfur mediation process, including by providing support for the participation of civil society in the Doha peace talks.

92. In Colombia, OHCHR strengthened its monitoring of cases of sexual violence committed in the context of armed conflict and focused on the importance of creating conditions of security and trust that would encourage women to report of acts of sexual violence. In El Salvador, OHCHR has provided advice in the formulation of a new law on violence against women, adopted in November 2010.

93. My Office and the Department of Peacekeeping Operations finalized an operational concept on the protection of civilians and the integration of the protection of civilians into mission planning, and conducted a stocktaking exercise on the resources and capacity needed to implement mandates for the protection of civilians. It also provided advice on strategies for the protection of civilians developed by United Nations peace operations, for example, in Côte d'Ivoire and Darfur, and contributed to the development of an operational concept training package for military peacekeepers. The principles underlying the work of OHCHR in this area are the complementarity and mutually reinforcing nature of international humanitarian and human rights law, and the central role of human rights in the effective protection of civilians in conflict situations.

94. My Office has completed two reports on lessons learned, good practices and persisting challenges in integrating human rights into the work of the United Nations police and military. In the area of security sector reform, my Office has supported inter-agency efforts to develop a series of guidance notes aimed at enhancing the capacity of the United Nations to support the establishment of a professional, human rights-compliant and accountable security force. OHCHR,

together with the Department of Peacekeeping Operations, has been tasked by the Secretary-General to lead consultations within the United Nations system to review United Nations support to non-United Nations security forces so as to ensure strict compliance with international human rights, humanitarian and refugee law.

95. In an increasing number of countries, high levels of violent crime, including killings, torture, disappearances or sexual and gender-based violence, expose people to human rights violations and seriously undermine the democratic functioning of the State. Often, Governments lack the resources and, at times, the will to tackle the situation adequately, and remain passive or resort to policies and measures which contravene their international human rights obligations.

96. Some countries have solicited advice from OHCHR in this regard. OHCHR, the Inter-American Commission on Human Rights and UNICEF published a report on citizen security, which promotes the need for a rights-based, comprehensive approach to crime and violence, rather than hard-line policies focused on control and repression. OHCHR provided technical cooperation to the MERCOSUR Institute of Public Policies on Human Rights in the development of a policy of citizen security for member States, and participated in activities with the Central American Integration System to build the capacity of Governments in this area.

97. In Mexico, OHCHR has advocated against the use of the military in public order functions, and for the prosecution of human rights violations committed by the military in civilian courts. In several countries, OHCHR has provided advice on police and prison reform and supported the development and delivery of human rights training to government officials and security forces in charge of public order functions. In Guatemala, OHCHR has provided technical assistance to the Congress regarding legislation on security and justice issues.

III. Conclusion

98. During the period under review, my Office has sought to respond swiftly to human rights crises in many parts of the world. It has also continued to address chronic human rights issues and support standard-setting activities, the review of the Human Rights Council and efforts to strengthen the treaty body system. It has, however, been a challenge for OHCHR to give the increasing number of mandates the priority and attention to detail that they demand and deserve. I welcome the decision of the General Assembly to consider, during its present session, ways in which to make essential resources speedily available in response to urgent and time-sensitive mandates created by the Council.

99. The relevance of human rights to all United Nations activities cannot be disputed. I urge the international community to strengthen its support to the United Nations human rights programme so that it can truly constitute the third pillar of the Organization and respond to the legitimate demand of all people in all parts of the world for full and equal enjoyment of human rights.

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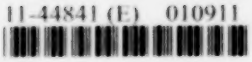

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